



Patent Docket No. EIS-5909B (1417G P 978)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled "**System and Method for Verifying Medical Device Operational Parameters**" the Specification of which was filed on December 30, 2003 as United States Application Number 10/749,101. The attorneys of record in said application for patent are hereby authorized and requested by the undersigned to insert in this Assignment the date and serial number thereof in the places provided therefor.

We hereby state that we have reviewed and understand the contents of the above-identified Specification, including the Claims, as amended by any Amendment referred to above.

We acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the Application on which priority is claimed:

Prior Foreign Application(s)

<u>NONE</u> Number	Country	Day/Month/Year Filed	Priority Claimed	
			Yes	No

We hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

<u>60/444,350</u>	<u>February 1, 2003</u>
Application Number	Filing Date

<u>60/528,106</u>	<u>December 8, 2003</u>
Application Number	Filing Date

We hereby claim the benefit under 35 U.S.C. § 120 of any United States Application(s), or § 365(c) of any PCT International Application designating the United States, listed below and, insofar as the subject matter of each of the Claims of this Application is not disclosed in the prior United States or PCT International Application in the manner provided by the first paragraph of 35 U.S.C. § 112, We acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior Application and the national or PCT international filing date of this Application:

<u>10/135,180</u>	<u>April 30, 2002</u>	<u>Pending</u>
Application Number	Filing Date	Status
<u>10/424,553</u>	<u>April 28, 2003</u>	<u>Pending</u>
Application Number	Filing Date	Status
<u>10/659,760</u>	<u>September 10, 2003</u>	<u>Pending</u>
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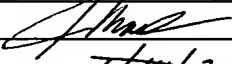
We hereby appoint the following attorney(s) and/or agent(s) to prosecute this Application and transact all business in the Patent and Trademark Office connected therewith.

Francis C. Kowalik	-34,646	Keith V. Rockey	- 24,713	Austin J. Foley	- 42,543
Mark J. Buonaiuto	-31,593	Daniel N. Christus	- 29,626	Matthew J. Gryzlo	- 43,648
Joseph J. Barrett	-34,769	Linda A. Kuczma	- 30,861	Peter M. Klobuchar	- 43,722
Janice Guthrie	-35,170	Roger H. Stein	- 31,882	Brent A. Hawkins	- 44,146
Paula J. Kelly	-37,624	Kathleen A. Lyons	- 32,815	William J. Lenz	- 44,208
Jeffrey C. Nichols	-36,879	Micheal D. Lake	- 33,727	James F. Goedken	- 44,715
Bradford R.L. Price	-29,101	Robert W. Diehl	- 35,118	Maurice E. Teixeira	- 45,646
Amy L.H. Rockwell	-32,094	Bradley F. Rademaker	- 35,331	Joseph M. Kinsella Jr.	- 45,743
Michael C. Mayo	-38,545	Richard C. Himelhoch	- 35,544	Sanjay K. Murthy	- 45,976
Jane Choi	-39,980	Monique A. Morneault	- 37,893	Stephen R. Auten	- 47,396
Joseph P. Reagan	-35,332	Jeffrey R. Gargano	- 38,148	Bryan C. Wallace	- 48,190
Michael F. Fedrick	-36,799	Paul J. Nykaza	- 38,984	Peter M. Siavelis	- 51,136
Michael C. Schiffer	-30,215	Edward L. Bishop	- 39,110	Nicholas C. Pruhs	- 52,136
C. Joseph Faraci	-32,350	James P. Muraff	- 39,785	Vladimir I. Arezina	- P-54,966
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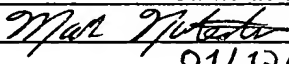
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**Francis C. Kowalik, Esq.**  
**Corporate Counsel**  
**Baxter International Inc.**  
**One Baxter Parkway, DF3-2E**  
**Deerfield, Illinois 60015**  
**847.948.3041 (Phone)**

We hereby declare all statements made herein of our own knowledge are true and all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the Application or any patent issued thereon.

-----  
Full Name of Sole or First Inventor: James P. Martucci  
Residential Street Address: 816 Fair Way  
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Inventor's Signature:   
Date: 7/14/03 1/13/04

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Date: 01/12/2004

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Citizenship: Canada  
Mailing Address: Same as above.  
Inventor's Signature: \_\_\_\_\_  
Date: \_\_\_\_\_



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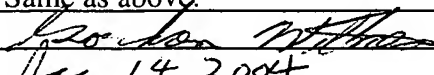
**Francis C. Kowalik, Esq.**  
**Corporate Counsel**  
**Baxter International Inc.**  
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**Deerfield, Illinois 60015**  
**847.948.3041 (Phone)**

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Date: \_\_\_\_\_

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Inventor's Signature:   
Date: Jan. 14, 2004